



Docket No.: 243480US6

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/677,537  
Applicants: Tetsujiro KONDO, et al.  
Filing Date: October 3, 2003  
For: IMAGE PROCESSING APPARATUS, METHOD,  
STORAGE MEDIUM, AND PROGRAM  
Group Art Unit: 2635  
Examiner: SMITH, JEFFREY

SIR:

Attached hereto for filing are the following papers:

**Response to Restriction Requirement**

Our credit card payment form in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
TETSUJIRO KONDO ET AL. : EXAMINER: J. S. SMITH  
SERIAL NO: 10/677,537 :  
FILED: OCTOBER 3, 2003 : GROUP ART UNIT: 2635  
FOR: IMAGE PROCESSING :  
APPARATUS, METHOD, STORAGE  
MEDIUM, AND PROGRAM

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the outstanding Office Action of November 27, 2006, Applicants elect the invention of Group I, Claims 1-4.

Applicants traverse the outstanding Restriction Requirement as the outstanding Restriction Requirement has not established that an undue burden would be required if the Restriction Requirement was not issued and if all the claims were examined together. More particularly, MPEP §803 states:

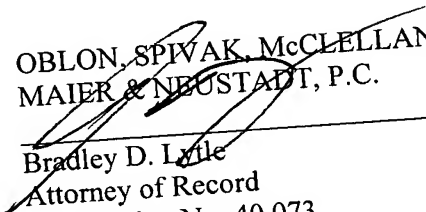
If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

Application No. 10/677,537  
Reply to Office Action of November 27, 2006

In the present application no undue burden has been established if each of the species  
and claims were examined together.

Respectfully submitted,

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